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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/628,404 | 07/29/2003 | Noriyuki Suzuki | 00862.023154 | 6374 |

5514 7590 06/07/2006

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EXAMINER

CHERY, MARDOCHEE

ART UNIT PAPER NUMBER

2188

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/628,404 | SUZUKI ET AL. | |
| | Examiner | Art Unit | |
| | Mardochee Chery | 2188 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Applicant's communication filed on February 27, 2006 in response to PTO Office Action mailed on October 31, 2005. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results that follow.
2. In response to the Office Action mailed on October 31, 2005, claim 1-3, 5-8, and 10-15 have been amended. Claims 1-15 remain pending.
3. The rejection of claim 3 under 35 USC 112 first paragraph has been withdrawn due to the amendment filed on February 27, 2006.

Response to Arguments

4. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Specification

5. The disclosure is objected to because of the following informalities: on page 11, line 8, "flashed" should be changed to – flushed--.

Appropriate correction is required.

Claim Objections

6. Claim 3 is objected to because of the following informalities: at line 3, "flash" should be changed to --flush--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (2002/0032839) in view of Uchida (2004/0037174).

As per claim 1, Yamamoto discloses a storage unit which is detachable from an information processing apparatus, and has a storage medium for storing data from the information processing apparatus and a communication interface with the information processing apparatus [Figs. 2, 15; paragraph 12, lines 1-3, paragraphs 13 and 17-18] comprising: input means for inputting eject instruction [Fig. 15; par. 17]; output means for externally outputting an eject permission signal in accordance with input of the eject instruction [par. 11].

However, Yamamoto does not specifically teach a controller for controlling storage of data into the storage medium; receiving means for receiving an eject instruction of ejecting the storage unit from the information apparatus; judging means for judging whether or not the storage unit is in an ejectable state; and output means for externally outputting an eject permission signal to the information apparatus if said judging means judges that the storage unit is in the ejectable as recited in the claim.

Uchida discloses a controller for controlling storage of data into the storage medium [Fig. 1; controller 20]; receiving means for receiving an eject instruction of ejecting the storage unit from the information apparatus [Fig. 1; eject instruction section 34]; judging means for judging whether or not the storage unit is in an ejectable state [Fig. 6; Abstract; par. 10]; and output means for externally outputting an eject permission signal to the information apparatus if said judging means judges that the storage unit is in the ejectable state [Fig. 6; Abstract; par. 8] to provide a disk drive device wherein removal of the disk drive by persons other than the authorized user can be positively prevented (par. 6).

Since the technology for implementing a storage unit with a controller, means for receiving an eject instruction, output means for outputting an eject permission signal was well known as evidenced by Uchida, an artisan would have been motivated to implement this feature in the system of Yamamoto to provide a disk drive device wherein removal of the disk drive by persons other than the authorized user can be positively prevented. Thus, it would have been obvious to one of ordinary skill in the art

at the time of invention by Applicant to modify the system Yamamoto to include a storage unit with a controller, means for receiving an eject instruction, output means for outputting an eject permission signal since this would have provided a disk drive device wherein removal of the disk drive by persons other than the authorized user can be positively prevented (par. 6) as taught by Uchida.

As per claim 2, Yamamoto discloses the unit further comprises state shift means for shifting the storage unit to the ejectable state when the eject instruction is received by said receiving means, [pars.18, 121-123, 128].

Uchida further discloses wherein said judging means judges that the storage unit is in the ejectable state after completion of the shift to the ejectable state by said shift means [Figs 1 and 6].

As per claim 3, Yamamoto discloses the state shift means inhibits reception of an external input to the communication interface, and executes cash memory flush processing [par.18].

As per claim 4, Yamamoto discloses output means uses an extra signal line in the communication interface [par.128].

As per claim 5, Yamamoto discloses input means receiving means receives an eject command as the eject instruction via the communication interface [par.11].

As per claim 6, Yamamoto discloses receiving means receives a status of an operation switch as the eject instruction via an extra signal line in the communication interface [par.128].

As per claim 7, Yamamoto discloses the receiving means further comprises switch receiving means for receiving a status of an operation switch, and notification means for notifying the information processing apparatus via the communication interface of an operation status of the operation switch on the basis of the status of the operation switch that is received by said switch receiving means [pars.124 and 127].

As per claim 8, Yamamoto discloses receiving means can receive, as the eject instruction, an eject command issued by the information processing apparatus and a signal from an operation switch, and when the signal from the operation switch is received as an eject instruction, said state shift means shifts the storage unit to the ejectable state at the end of data communication between the information processing apparatus and the storage unit [pars.124 and 127].

As per claim 9, Yamamoto discloses the operation switch is arranged in the storage unit [Fig.17].

As per claim 10, Yamamoto discloses providing means for providing a user

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interface [par. 8]; issuing means for issuing eject instruction to the storage unit in accordance with user operation to the user interface [par.8]; and eject means for ejecting the storage unit on the basis of an eject permission signal which is output from the storage unit in accordance with the eject instruction [par. 11].

As per claim 11, Yamamoto discloses monitoring means for inquiring of the storage unit as to a status of an operation switch, and monitoring a status signal representing the status of the operation switch [pars. 124 and 127]; issuing means for issuing eject instruction to the storage unit in accordance with user operation to a user interface provided by software or the status signal [par. 127]; and eject means for ejecting the storage unit on the basis of an eject permission signal which is output from the storage unit in accordance with the eject instruction [par. 127].

As per claim 12, the rationale in the rejection of claim 1 is herein incorporated. Yamamoto further discloses a providing step of causing the information processing apparatus to provide a user interface [par. 8]; an issuing step of issuing eject instruction to the storage unit in accordance with user operation to the user interface [par. 8]; a state shift step of shifting the storage unit to an ejectable state in accordance with the eject instruction issued in the issuing step [pars.124 and 127]; and an eject step of causing the information processing apparatus to eject the storage unit on the basis of the eject permission signal [par.11].

Uchida further discloses an output step of causing the storage unit to output an eject permission signal to the information processing apparatus in accordance with the eject instruction after completion of shifting the storage unit to the ejectable state in the state shift step [Fig. 6].

As per claim 13, Yamamoto discloses an acquisition step of inquiring of the storage unit as to an operation status of a switch connected to the storage unit, thereby acquiring the operation status, and in the issuing step, the information processing apparatus issues the eject instruction to the storage unit in accordance with the user operation to the user interface provided by software and the operation status of the switch acquired in the acquisition step [Figs. 15 and 17; pars. 8, 11, 124 and 127].

As per claim 14, the rationale in the rejection of claim 1 is herein incorporated.

As per claim 15, Yamamoto discloses the apparatus further comprises an eject designation switch, and said transmission means transmits the eject instruction to the storage unit in accordance with operation on said eject designation switch [pars. 124 and 127].

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. When responding to the office action, Applicant is advised to clearly point out the patentable novelty that he or she thinks the claims present in view of the state of the art disclosed by references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111(c).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mardochee Chery whose telephone number is (571) 272-4246. The examiner can normally be reached on 8:30A-5:00P.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manonama Padmanabhan can be reached on (571) 272-4210. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 24, 2006



Mardochee Chery
Examiner
AU2188



MANO PADMANABHAN 5/24/06
SUPERVISORY PATENT EXAMINER